

HOUSE BILL No. 1181

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-30-5-5.5; IC 31-34-7-1.

Synopsis: Child abuse or neglect. Requires a law enforcement agency that arrests a person for operating a vehicle while intoxicated to report to an intake officer that a child who is a passenger in the vehicle may be a child in need of services if the person arrested is the parent, guardian, or custodian of the child.

Effective: July 1, 2006.

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January 9, 2006, read first time and referred to Committee on Family, Children and Human Affairs.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

HOUSE BILL No. 1181

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 9-30-5-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 5.5. If:**

(1) a person operating a vehicle is arrested for committing an offense under section 1, 2, 3, 4, or 5 of this chapter;

(2) at the time of the arrest, there is a passenger in the motor vehicle who is a child less than eighteen (18) years of age; and

(3) the person arrested is the:

(A) parent;

(B) guardian; or

(C) custodian;

of the child referred to in subdivision (2);

the law enforcement agency making the arrest shall report to an intake officer under IC 31-34-7-1 that the child may be a child in need of services.

SECTION 2. IC 31-34-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. **(a)** A person may



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1 give an intake officer written information indicating that a child is a
2 child in need of services. If the intake officer has reason to believe that
3 the child is a child in need of services, the intake officer shall make a
4 preliminary inquiry to determine whether the interests of the child
5 require further action. Whenever practicable, the preliminary inquiry
6 should include information on the child's background, current status,
7 and school performance.

8 **(b) A law enforcement agency making an arrest under the**
9 **circumstance set forth in IC 9-30-5-5.5 shall report to an intake**
10 **officer that the child less than eighteen (18) years of age:**

11 **(1) whose parent, guardian, or custodian is arrested; and**

12 **(2) who is a passenger in the vehicle operated by the parent,**
13 **guardian, or custodian at the time of the arrest;**

14 **may be a child in need of services.**

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